

Message Text

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ORIGIN OES-06

INFO OCT-01 EUR-12 IO-13 ISO-00 DODE-00 EB-07 NRC-07

NSAE-00 USIA-15 TRSE-00 ERDA-07 CIAE-00 COME-00 FEA-01

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FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA

INFO AMEMBASSY BUCHAREST

AMEMBASSY BELGRADE

UNCLAS STATE 239807

E.O. 11652: N/A

TAGS: TECH

SUBJECT: APPLICATION FOR EXPORT OF NUCLEAR MATERIAL

TO YUGOSLAVIA AND ROMANIA

1. THE NUCLEAR REGULATORY COMMISSION HAS RECEIVED SEVERAL APPLICATIONS FOR EXPORT LICENSES COVERING SPECIAL NUCLEAR MATERIAL INTENDED FOR USE IN ROMANIA OR YUGOSLAVIA. PURSUANT TO E.O. 11902 THE NRC HAS REQUESTED THAT STATE PROVIDE EXECUTIVE BRANCH VIEWS AS TO WHETHER THE PROPOSED EXPORT WOULD BE INIMICAL TO THE COMMON DEFENSE AND SECURITY OF THE UNITED STATES AND WHETHER THE EXPORT WOULD BE UNDER THE TERMS OF AN AGREEMENT FOR COOPERATION. THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, REQUIRES THAT ALL EXPORTS OF SPECIAL NUCLEAR MATERIAL BE COVERED BY AN AGREEMENT FOR COOPERATION.

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WITH EITHER ROMANIA OR YUGOSLAVIA, ANY EXPORT TO EITHER

OF THESE COUNTRIES MUST BE PLACED UNDER THE U.S.-IAEA AGREEMENT FOR COOPERATION. THIS MEANS THAT ROMANIA OR YUGOSLAVIA MUST SUBMIT A FORMAL REQUEST TO THE IAEA IN VIENNA TO RECEIVE SPECIAL NUCLEAR MATERIAL FROM THE UNITED STATES UNDER THE U.S.-IAEA AGREEMENT BEFORE APPLICATION IS

MADE ON THEIR BEHALF TO THE U. S. NRC FOR AN EXPORT LICENSE. SO FAR, BOTH COUNTRIES HAVE FAILED TO TAKE THIS STEP. FOR THAT REASON CONSIDERATION OF THEIR APPLICATION HAS BEEN DELAYED UNTIL SUCH TIME AS THEY MAKE THE APPROPRIATE FORMAL REQUEST THROUGH THE IAEA AND THE IAEA THEN CONTACTS THE USG ON THEIR BEHALF.

3. THE U.S. MISSION SHOULD ARRANGE SEPARATE MEETINGS WITH THE REPRESENTATIVES OF ROMANIA AND YUGOSLAVIA IN VIENNA TO EXPLAIN THE PROCEDURAL PROBLEM THAT HAS RESULTED FROM THEIR FAILURE TO GO THROUGH THE IAEA BEFORE FILING FOR EXPORT LICENSES IN THE U.S. KISSINGER

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